HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.22772 of 2007

Dated: 29.10.2007

Between:
Syed Rehman

… Petitioner

AND

Greater Hyderabad Municipal Corporation,
represented by its Chief Commissioner,
Tank Bund, Hyderabad and another.

… Respondents.

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

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ORDER:-

This writ petition is filed for a writ of mandamus to declare the action of the respondents in seeking the petitioner to surrender his land, without following the procedure contemplated under Section 147 of the Hyderabad Municipal Corporation Act, 1956 (for short "the Act"), as illegal and arbitrary.

By the impugned notice, dated 22-8-2007 the Commissioner of the Greater Hyderabad Municipal Corporation (for short "the Corporation") requested the petitioner to hand over possession of an extent of 249.37 Square yards of his land situated in Saidabad, Hyderabad by giving consent in public interest.

Sri V.Srinivasa Rao, learned counsel for the petitioner submits that the petitioner is not willing to part with the land and that, therefore, the respondents cannot forcibly take possession of the land from the petitioner without following due process of law.

Sri R.Ramachandra Reddy, learned Standing Counsel for the Corporation stated that in order to explore the possibility of taking consent, notice under Section 146 of the Act has been issued and that if the petitioner is not willing to give away his land, the Corporation will invoke the provisions of Section 147 of the Act and acquire the land after following due process of law.

Recording the aforesaid statement of the learned Standing Counsel, the Writ Petition is disposed of.

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C.V.NAGARJUNA REDDY,J

mnr

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